

Notice of Allowability

Application No.

09/429,758

Examiner

James H. Zurita

Applicant(s)

ADAMS ET AL.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4 August 2005.
2. ☒ The allowed claim(s) is/are 1-34 and 40-50.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached.
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Prosecution History

On 28 October 1999, applicant filed the instant application. Applicant claims priority from PCT application us98/08407, filed 27 April 1998 in the United States, which in turn claims priority from Provisional application 60/044372, filed on 28 April 1997.

On 11 July 2002, the Examiner rejected claims 1-34 as unpatentable over King et al. (US 5,319,542) in view of Gardner (US 5,758,327) and further in view of Lemble (US 5,315,504).

On 21 October 2002, applicant amended various claims and added claims 35-50.

On 9 January 2003, the Examiner issued a final rejection of claims 1-50 as unpatentable over King, Gardner and Lemble, above.

On 4 March 2003, applicant filed an after-final amendment

On 21 March 2003, the Examiner issued an advisory action.

On 16 April 2003, applicant filed a request for continuing examination (RCE).

Applicant amended claims 1, 12, 14, 22, 30, 35, 36, 40-42, 44 and 46.

On 30 June 2003, the Examiner rejected claims 1-50 as unpatentable over King, above, in view of Gardner, above, and further in view of Lemble, above.

On 2 October 2003, applicant filed a Request for Reconsideration.

On 22 December 2003, the Examiner issued a final rejection of claims 1-50 as unpatentable over King, Gardner and Lemble, above.

On 3 March 2004, applicant filed an after-final amendment. Not entered.

On 10 March 2004, the Examiner issued an advisory action.

On 5 April 2004, applicant filed a request for continuing examination (RCE).

Applicant cancelled claims 35-39 and amended claims 1 and 40-50.

On 9 September 2004, the Examiner rejected claims 1-34 and 40-50 as unpatentable over King, Gardner, Lemble, above, and BCOP and EDI.

On 19 January 2005, applicant amended claims 1 and 42.

On 29 April 2005, the Examiner entered an Examiner's Amendment and issued a Notice of Allowability.

On 11 May 2005, the Office issued a Notice of Allowance.

On 4 August 2005, applicant filed a request for Continuing Examination (RCE).

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 4 August 2005 has been entered.

Response to Amendment

On 4 August 2005, applicant filed an amendment to the Specifications.

Applicant noted that the instant application claims priority from provisional application 60/044372, filed 28 April 1997 and PCT US98/08407, filed 27 April 1998.

Applicant also submitted two Information Disclosure Statements:

1. originally on 3 April 2000, requires the Examiner's initials.
2. contains a list of references first presented for consideration on 4 August 2005.

There are no amendments to the claims.

Claims 1-34 and 40-50 are pending and will be examined.

Information Disclosure Statement

The information disclosure statement filed 4 August 2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed.

It has been placed in the application file, but the information referred to therein has not been considered.

Allowable Subject Matter

Claims 1-34, 40-50 are allowed.

The following is an examiner's statement of reasons for allowance for independent claims 1, 40 and 46.

Reasons for Allowance

An updated search conducted after applicant's Request for Continued Examination and other prior art of record neither anticipates nor fairly and reasonably teaches method that includes, *inter alia*, the combination of

The most pertinent art does not teach the combination of the various steps with a decision among various forms of payment selectable by a user:

order generating means for deciding between at least one of a purchase card module, a direct order module, and a purchase order module to submit the requisition for fulfillment by a supplier.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statements for Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Zurita whose telephone number is 571-272-6766. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Zurita
Patent Examiner
Art Unit 3625
31 October 2005

JZ


WAYNE W. COGGINS
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